

Appl. No. 10/804,916
Amdt. dated April 21, 2008
Reply to Office Action of February 21, 2008

Atty. Ref. 81874.0039
Customer No. 26021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Atsushi SHIBUTANI
Serial No. 10/804,916
Confirmation No. 8354
Filed: March 19, 2004
For: Photographed Image Recording
and Reproducing Apparatus with
Simultaneous Photographing
Function

Art Unit: 2622
Examiner: Pasiewicz, Daniel M

I hereby certify that this correspondence is being transmitted via electronic filing to:	
Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 April 21, 2008	
Date of Deposit	
Juanita Soberanis	
Name	
<i>Juanita Soberanis</i>	4/21/2008
Signature	Date

AMENDMENT UNDER 37 CFR 1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the final Office Action dated February 21, 2008, please amend this application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 9 of this paper.

Amendments to the Specification

Replace the paragraph at page 8, lines 9-20, with the following amended paragraph:

Meanwhile, upon depression of the shutter button (at step SA2: NO, and at step SA3: YES), the photographing mode is switched to the normal still-image photographing mode. In the normal still-image photographing mode, the still-image photographing process starts, including a process for setting a photographing condition in AF AND AE operations, and a process for photographing and recording the subject by CCD 2 at step SA4. When the still-image photographing process has been completed (at step SA5: YES), the DSP/CUP 3 produces a still-image file on the buffer memory (~~RDAM~~ DRAM 9) and records the same on the memory card 12 at step SA6, and then returns to the process at SA1 to display the through image.

Amendments to the Claims

This listing of claims replaces all prior versions and listings of claims:

Listing of Claims:

1.-26. (Canceled)

27. (Currently amended) An electronic camera comprising:

a memory for storing various sorts of data;

a simultaneous photographing unit for recording in the memory moving image data, still image data and timing information in association with each other, when a still-image photographing operation is performed at a given timing during a moving-image photographing operation, wherein the moving image data is obtained in the moving-image photographing operation, the still image data is obtained in the still-image photographing operation, and the timing information is indicative of the timing at which the still-image photographing operation is to be performed;

a moving-image reproducing unit for reproducing moving image data recorded in the memory by the simultaneous photographing unit;

a stand-by operation starting unit for displaying a notice that still image data associated with the moving image data has been found, when a reproducing position in moving image data has reached a position corresponding to the timing indicated by the timing information while the moving image data is being reproduced by the moving-image reproducing unit, and at the same time starting a stand-by operation for waiting for instructing operation by a user;

a stand-by operation performing unit for performing the stand-by operation started by the stand-by operation starting unit continuously in parallel with reproduction of moving image data by the moving-image reproducing unit; and

a still-image reproduction control unit for reproducing the still image data associated with the moving image data, when the user has performed instructing operation while the stand-by operation is being performed by the stand-by-operation performing unit;

a stand-by operation ceasing unit for controlling the still-image reproduction control unit not to reproduce the still image data associated with the moving image data, and the stand-by operation starting unit to cease displaying the notice that still image data associated with the moving image data has been found, and the stand-by operation performing unit to cease performing the stand-by operation, when the user does not perform instructing operation before a first predetermined period lapses after the stand-by operation starting unit has started the stand-by operation; and

a moving-image reproduction control unit for reproducing moving image data associated with the still image data recorded in the memory by the simultaneous photographing unit, when reproduction of moving image data is instructed while the still image data recorded in the memory by the simultaneous photographing unit is being reproduced, wherein when reproduction of the moving image data is restarted after reproduction of moving image data was interrupted by the still-image reproduction control unit to perform reproduction of still image data, the moving-image reproduction control unit starts reproduction of the moving image data from a reproducing position corresponding to the timing indicated by the timing information regardless of whether a position at which the still-image reproduction control unit interrupts reproduction of the moving image data corresponds to any position corresponding to a time falling within the first predetermined period.

28. (Previously presented) The electronic camera according to claim 27, wherein the stand-by operation starting unit starts the stand-by operation, when a reproducing position in moving image data has reached a position corresponding to a time from which a second predetermined time lapses to reach a position corresponding to the timing indicated by the timing information while the moving image data is being reproduced by the moving-image reproducing unit.

29. (Previously presented) The electronic camera according to claim 27 or 28, wherein the stand-by operation ceasing unit ceases the stand-by operation, when a

reproducing position in moving image data has reached a position corresponding to a time from which a third predetermined time lapses after reaching a position corresponding to the timing indicated by the timing information while the moving image data is being reproduced by the moving-image reproducing unit.

30. (Previously presented) The electronic camera according to claim 27, wherein the first predetermined period is a period of several seconds.

31. (Canceled)

32. (Currently amended) The electronic camera according to claim ~~31~~ 27, wherein the moving—image reproduction control unit starts reproduction of the moving image data from a reproducing position corresponding to the timing indicated by the timing' information, when the moving image data associated with the still image data is reproduced.

33. (Currently amended) The electronic camera according to claim ~~31~~ 27, wherein the moving-image reproduction control unit comprises a moving-image advising unit for giving notice that moving image data associated with the still image data is available, while the still image data is being reproduced, wherein the moving-image reproduction control unit reproduces moving image data associated with the still image data, when the user gives an instruction for reproduction of moving image data upon confirmation of the notice of the moving-image advising unit.

34. (Previously presented) The electronic camera according to claim 33, wherein the stand-by operation starting unit displays a still image mark to give notice that still image data is available, and the moving-image advising unit displays a moving image mark different from the still image mark to give notice that moving image data is available.

35. (Canceled)

36. (Currently amended) The electronic camera according to claim ~~27~~ 33, wherein the stand-by operation starting unit and the moving-image advising unit

display other image data associated with image data which is being reproduced, together with said image data which is being reproduced, thereby giving said notice.

37. (Currently amended) The electronic camera according to claim 27 33, further comprising:

a simultaneous reproducing unit for reproducing plural sorts of image data including moving image data and still image data, simultaneously, wherein

the stand-by operation starting unit and the moving-image advising unit display a notice indicating whether simultaneously photographed images corresponding respectively to images which are being reproduced simultaneously by the simultaneous reproducing unit are available or not.

38. (Currently amended) The electronic camera according to claim 27 33, wherein, when a plurality of images are photographed and recorded simultaneously with image data which is being reproduced, the stand-by operation starting unit and the moving-image advising unit give notice to that effect.

39. (Previously presented) The electronic camera according to claim 27, wherein, when still-image photographing operation has being performed during moving-image photographing operation, the simultaneous photographing unit associates moving image data with still image data using either one of file names and information indicating times when photographing operations are performed, and records the data associated with each other in the memory, wherein the moving image data is obtained in the moving-image photographing operation, and the still image data is obtained in the still-image photographing operation, and the file names are used for recording the moving image data and still image data.

40. (Currently amended) A computer readable medium having a computer program recorded thereon, the computer program comprising a set of instructions when executed by a computer to operate as an electronic camera for photographing, recording and reproducing moving and still image data, the electronic camera comprising:

a simultaneous photographing unit for recording in a memory moving image data, still image data and timing information in association with each other, when a still-image photographing operation is performed at a given timing during a moving-image photographing operation, wherein the moving image data is obtained in the moving-image photographing operation, the still image data is obtained in the still-image photographing operation, and the timing information is indicative of the timing at which the still-image photographing operation is to be performed;

a moving-image reproducing unit for reproducing moving image data recorded in the memory by the simultaneous photographing unit;

a stand-by operation starting unit for displaying a notice that still image data associated with the moving image data has been found, when a reproducing position in moving image data has reached a position corresponding to the timing indicated by the timing information while the moving image data is being reproduced by the moving-image reproducing unit, and at the same time starting a stand-by operation for waiting for instructing operation by a user;

a stand-by operation performing unit for performing the stand-by operation started by the stand-by operation starting unit continuously in parallel with reproduction of moving image data by the moving-image reproducing unit; and

a still-image reproduction control unit for reproducing the still image data associated with the moving image data, when the user has performed instructing operation while the stand-by operation is being performed by the stand-by operation performing unit;

a stand-by operation ceasing unit for controlling the still-image reproduction control unit not to reproduce the still image data associated with the moving image data, and the stand-by operation starting unit to cease displaying the notice that still image data associated with the moving image data has been found, and the stand-by operation performing unit to cease performing the stand-by operation, when the user does not perform instructing operation before a first predetermined

period lapses after the stand-by operation starting unit has started the stand-by operation; and

a moving-image reproduction control unit for reproducing moving image data associated with the still image data recorded in the memory by the simultaneous photographing unit, when reproduction of moving image data is instructed while the still image data recorded in the memory by the simultaneous photographing unit is being reproduced, wherein when reproduction of the moving image data is restarted after production of moving image data was interrupted by the still-image reproduction control unit to perform reproduction of still image data, the moving-image reproduction control unit starts reproduction of the moving image data from a reproducing position corresponding to the timing indicated by the timing information regardless of whether a position at which the still-image reproduction control unit interrupts reproduction of the moving image data corresponds to any position corresponding to a time falling within the first predetermined period.

Remarks/Arguments

Reconsideration of this application is requested.

Specification

The specification is amended as suggested at page 8, line 18 to change "RDAM 9" to "DRAM 9".

Claim Status

Claims 26-40 were previously presented. Claims 27, 32, 33, 36-38 and 40 are amended. Claims 26, 31 and 35 are canceled without prejudice. Claims 27-30, 32-34 and 36-40 are now pending.

Allowable Subject Matter

Claim 35, which depends from claim 27 via intervening claim 31, is indicated as allowable if rewritten in independent form. Accordingly, claim 27 is rewritten to include all limitations of claims 31 and 35, and claims 31 and 35 are canceled without prejudice. Claims 28-30, 32-34 and 36-39 depend or are amended to depend from claim 27. Thus, claims 27-30, 32-34 and 36-39 are now in condition for allowance.

Independent claim 40 is also amended to include the allowable subject matter of claim 35, and is therefore also in condition for allowance.

Claim Objections

Claims 36-38 are objected to as lacking antecedent basis for "the moving-image advising unit". In response, claims 36-38 are amended to depend from claim 33, which recites "a moving image advising unit".

Claim Rejections – 35 USC 103

Claims 26-34 and 36-40 are rejected under 35 USC 103(a) as obvious over Honda (US 2001/0014202) in view of Sato (JP 09-284692). In response, claim 26 is canceled without prejudice, and claims 27-30, 32-34 and 36-40 are amended into allowable form as discussed above. Accordingly, the rejections under 35 USC 103 are now moot.

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Conclusion

This application is now in condition for allowance. The Examiner is invited to contact the undersigned to resolve any issues that remain after consideration and entry of this amendment. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: April 21, 2008

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